

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
v.) Case No. 04-CR-10043-GAO
)
CARLOS MARTINEZ GUERRERO)

ASSENTED TO MOTION TO REFER CASE TO DISTRICT COURT
SO THAT DEFENDANT MAY CHANGE HIS PLEA

The United States, by and through its attorneys, United States Attorney Michael J. Sullivan and Assistant United States Attorney Seth P. Berman, moves that this Court refer this case to the Honorable United States District Court Judge George A. O'Toole, Jr. so that defendant may change his plea in accordance with Federal Rule of Criminal Procedure 11(c)(1). As grounds therefor, the parties state that defendant, acting by and through his attorney John Connell, Esq., has indicated that he intends to change his plea in this matter. Consequently, there are no additional matters to be resolved before the Magistrate Court.

Defendant, through his counsel John Connell, assents to this motion.

WHEREFORE, the United States respectfully request, that this case be referred to the District Court for further proceedings in this matter.

Respectfully Submitted,

MICHAEL J. SULLIVAN
United States Attorney
By:

/s/ Seth P. Berman

SETH P. BERMAN
Assistant U.S. Attorney
(617) 748-3385

March 24, 2004

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the person listed below a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery:

John Connell, Esq.
79 Todesco Street
Marblehead, MA 01945

This 24th day of March 2004.

/s/ Seth P. Berman
SETH P. BERMAN
ASSISTANT UNITED STATES ATTORNEY